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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,757	06/27/2001	James Brian Vrotacoe	600.1168	4850

7590

12/04/2002

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New York, NY 10018

EXAMINER

FUNK, STEPHEN R

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 12/04/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/893,757

Applicant(s)
Vrotacoe et al.

Examiner
Stephen Funk

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2854



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 21, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, and 8 - 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. ('343) in view of Cushner et al. ('019). Castelli et al. teach the device and method as recited with exception of continuously axially moving the base sleeve (21). See the entire document of Castelli et al. Cushner et al. teach applying a curable layer to a continuously axially moving base sleeve. See column 2 line 48 - column 3 line 20, column 4 line 62 - column 5 line 28, column 7, and Figures 1 and 4 of Cushner et al., for example. It would have been obvious to one of ordinary skill in the art to provide the device and method of Castelli et al. with the capability of continuously moving a base sleeve in view of Cushner et al. so as to move the sleeve past the various processing stations. With respect to claim 3 it would have been obvious to one of ordinary skill in the art to provide the device and method of Castelli et al. with a second applicator to apply at least one of the overlying layers disclosed by Castelli et al. With respect to claims 8 and 11 the base sleeve (21) of Castelli et al. is rotatable (36).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. in view of Cushner et al. as applied to the claims above, and further in view of McConnell ('610). Castelli et al. do not specifically teach forming the blanket continuously. McConnell teaches the desirability of continuously forming a base sleeve. See column 5 lines 4 - 17 of McConnell, for

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example. It would have been obvious to one of ordinary skill in the art to provide the device of Castelli et al., as modified by Cushner et al., with the capability of continuously forming the base sleeve and blanket in view of McConnell so as to more quickly produce tubular printing blankets.

Claims 5 - 7, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castelli et al. in view of Cushner et al. as applied to claims 1, 3, 4, and 8 - 13 above, and further in view of Schisler et al. ('793). Castelli et al. teach an infrared radiation curing compressible layer. Schisler et al. teach the conventionality of a UV radiation curing urethane compressible layer. See the Abstract, column 1 lines 40 - 61, column 6 lines 40 - 52, and column 9 lines 41 - 43 of Schisler et al., for example. It would have been obvious to one of ordinary skill in the art to provide the blanket of Castelli et al., as modified by Cushner et al., with a UV curing urethane layer in view of Schisler et al. so as to cure the compressible layer without exposing it to damaging high temperatures.

Claims 16, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bresson et al. (US 5,352,507) in view of Schisler et al. and Inoue et al. (US 6,227,109). Bresson et al. teach a printing blanket comprising a sleeve (2), a compressible layer (4), a reinforcing layer (5), and a print layer (6). See column 4 lines 45 - 51, the paragraph bridging columns 4 and 5, and column 5 line 62 - column 6 line 16 of Bresson et al., for example. Note that each of the layers of Bresson et al. may be polyurethane. Schisler et al. teach the conventionality of a radiation curing urethane compressible layer. See the Abstract, column 1 lines 40 - 61, column 6 lines 40 - 52, and column 9 lines 41 - 43 of Schisler et al., for example. Inoue et al. teach the

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desirability of using polyurethane for all layers in a printing roller. See column 25 line 60 - column 26 line 43 of Inoue et al. It would have been obvious to one of ordinary skill in the art to provide the blanket of Bresson et al. with multiple layers of radiation curing polyurethane in view of Schisler et al. and Inoue et al. to provide a quick curing and durable printing blanket.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See column 8 lines 16 - 39 of Hatch et al. ('386), the paragraph bridging columns 6 and 7 of Gaworowski et al. ('487), and column 3 lines 15 - 41 of Lorig et al. ('322).

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that neither Castelli et al., Cushner et al., or McConnell teach a "continuously axially moving sleeve" as is now recited in claims 1 and 10. However, as pointed out above Cushner et al. does teach continuously axially moving the sleeve. It is noted that this language is interpreted as continuously *moving* the sleeve, not continuously *manufacturing* a sleeve. Furthermore, the device and method of Cushner et al. is deemed to be sufficiently analogous to the device and method of Castelli et al. as each is applying a polymer to a base sleeve.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

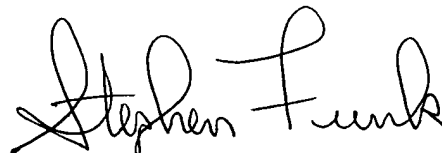
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk at telephone number (703) 308-0982. The examiner can normally be reached Monday - Friday, except Wednesdays, from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (703) 305-6619.

The fax number for *official* papers is (703) 308-7722, 7724. The fax number for those wishing an auto-reply verifying receipt of *official* papers is (703) 872-9318 or for After-Final actions is (703) 872-9319. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 308-0956.

Stephen Funk
December 2, 2002



STEPHEN R. FUNK
PRIMARY EXAMINER